

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL RAPAPORT and MICHAEL :
DAVID PRODUCTIONS, INC., :

Plaintiffs, :

-against- :

Case No. 1:18-CV-08783

BARSTOOL SPORTS, INC., ADAM SMITH, :
KEVIN CLANCY, ERIC NATHAN and :
DAVID PORTNOY, :

DECLARATION OF JACOB VEGA

Defendants. :

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BARSTOOL SPORTS, INC., :

Counterclaimant, :

-against- :

MICHAEL RAPAPORT and MICHAEL :
DAVID PRODUCTIONS, INC, :

Cross-Defendants. :

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DECLARATION OF JACOB VEGA

I, Jacob Vega declare as follows:

1. I am an associate in the law firm of King & Ballow and counsel for Plaintiffs, Michael Rapaport and Michael David Productions, Inc. ("Plaintiffs"), in the above-captioned matter. I submit this declaration in support of Plaintiffs' Motion for Reconsideration. The information contained in this Declaration is based upon my personal knowledge. If called as a witness in this action, I could and would testify to the contents of this declaration.

2. I personally have personally recorded or overseen the recording of each of the copies of videos appearing below as attachments.
3. Submitted separately to the Court as **Attachment 1** is a true and accurate recording of the video titled “Meet the Fact That Will Bring Down Barstool Sports,” available at <https://www.youtube.com/watch?v=qNfegLiMWtE>, Bates numbered as RAP024089.
4. Submitted separately to the Court as **Attachment 2** is a true and accurate recording of the video titled ““Who Muted Who?” Live From Dave's Pool - June 9, 2020,” available at <https://www.youtube.com/watch?v=agjtWNglOu8>, Bates numbered as RAP024090.
5. Submitted separately to the Court as **Attachment 3** is a true and accurate recording of the video titled “Meet the Fact That Will Bring Down Barstool Sports,” available at https://www.youtube.com/watch?v=AO_GTorCVwQ, Bates numbered as RAP024091.
6. Attached hereto as **Attachment 4** is a true and accurate copy of the article titled, “Kmarko to Minihane: I've made 6 mistakes in 11 years,” available at <https://www.barstoolsports.com/blog/2549214/kmarko-to-minihane-ive-made-6-mistakes-in-11-years>, downloaded by a colleague at my direction, which I have personally reviewed, on April 12, 2021 bearing Bates number RAP024092.

I declare under the penalties of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: April 12, 2021

By: 
Jacob Vega
King & Ballow
315 Union Street, Suite 1100
Nashville, Tennessee 37201
(615)726-5432
jvega@kingballow.com